

## **REMARKS**

### **A. Summary of Claim Amendments**

The present application includes Claims 1-31 of which Claims 1-3, 5, 9-11, 13-24, and 26 have been amended in response to the Office Action mailed on June 6, 2006. In further response to this Office Action, Claims 4 and 25 have been cancelled and new Claims 27-31 have been added. Support for amended Claim 1 can be found at least on Page 1 paragraphs 9 and 10, Page 2 paragraph 11, Page 5 paragraphs 50 and 51, and Page 6 paragraphs 58 and 60. Support for amended Claim 2 can be found at least on Page 1 paragraphs 6 and 9. Support for amended Claim 3 can be found at least on Page 1 paragraph 9. Support for amended Claim 5 can be found at least on Page 1 paragraph 6, and Page 5 paragraphs 50 and 51. Support for amended Claims 9-11 can be found at least on Page 1 paragraph 10. Support for amended Claim 13 can be found at least on Pages 1-2 paragraph 11, Page 5 paragraphs 50 and 51, and Page 6 paragraphs 58 and 60. Support for amended Claims 14-16 can be found at least on Pages 1-2 paragraph 11. Support for amended Claims 17 and 24 can be found at least on Page 1 paragraph 10. Support for amended Claim 18 can be found at least on Page 1 paragraphs 6 and 9. Support for amended Claim 19 can be found at least on Page 2 paragraph 12. Support for amended Claims 20-21 can be found at least on Page 1 paragraph 9. Support for amended Claim 22 can be found at least on Page 5 paragraph 50. Support for amended Claim 23 can be found at least on Page 2 paragraph 13. Support for amended Claim 26 can be found at least on Page 2 paragraph 14, Page 5 paragraphs 50 and 51, and Page 6 paragraphs 58 and 60. Support for new Claim 27 can be found at least on Page 6 paragraph 63, in Figure 15, and in Figure 19A item 47. Support for new Claim 28 can be found at least on Page 4 paragraph 47. Support for new Claim 29 can be found at least on Page 1 paragraph 7, and Page 6 paragraph 63. Support for new Claim 30 can be found at least on Page 6 paragraph 63. Support for new Claim 31 can be found at least on Page 4 paragraph 48.

In view of the amendments to the claims, together with the following remarks, Applicants respectfully request entry of this Amendment and Response and consideration and allowance of Claims 1-3, 5-24, and 26-31, and cancellation of Claims 4 and 25.

**B. Rejection of Claims 1-24 and 26 Under 35 U.S.C. § 102(b)**

In the Office Action mailed on June 6, 2006, the Examiner considered Claims 1-26. Claims 1-24 and 26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Broadbent et al. (U.S. Patent App. Pub. 2001/0047326 A1, published November 29, 2001). For a claim to be anticipated under 35 U.S.C. § 102(b), the cited reference must teach or suggest each and every limitation in the claim. Applicants respectfully submit that Broadbent, for the reasons discussed below, does not disclose each and every claim element of Claims 1-24 and 26.

Applicants' amended Claim 1 recites a computerized system for producing a domestic relations order. The system of Claim 1 includes receiving information that includes an alternate payee and court information relating to a domestic relations order. Applicants respectfully submit that Broadbent does not teach or suggest receiving such information. In contrast, as cited by the Examiner, Broadbent discloses inputs from a lender/loan originator through a "Loan Origination Gateway" or portal which serves as a gateway to a system for loan originator data and borrower data. (Broadbent, Page 9, [0123], lines 3-8).

Further, Applicants' Claim 1 recites a rules engine in communication with a receiver for selecting sample text passages. Broadbent does not teach or disclose a rules engine for selecting sample text passages. In contrast, as cited by the Examiner, Broadbent discloses loan originator data used as input data to an authentication module. (Broadbent, Page 9, [0123], lines 8-14, and Figure 4A, item 403). As amended, the rules engine of Claim 1 does not authenticate received information as does Broadbent. Unlike Claim 1, Broadbent further discloses a rules engine which tracks and records every step in the loan process to provide a record of completion for Federal and State regulators. (Broadbent, Page 3, [0027], lines 7-10).

Moreover, Applicants' Claim 1 further recites a document assembler for automatically incorporating a first subset of sample text passages and a second subset of received information comprising an alternate payee and court information into a court-compliant domestic relations order for submission to a court. Broadbent does not teach assembly of a court-compliant domestic relations order for submission to a court. Instead, Broadbent discloses a compliance engine that generates a set of tasks that are recorded in a file. These tasks are required to process a specific loan using input data that includes, for example, loan data and user-selected tasks.

(Examiner cite to Broadbent, Page 10, [0125], lines 14-17; Figure 4D, items 482 and 483). Broadbent further discloses generation of worker compensation and loan completion reports, and not the court-compliant domestic relations order comprising information that includes, for example, an alternate payee and court information of Claim 1. (Examiner cite to Broadbent, Page 10, [0126], lines 18-21). For the sake of argument, even if the received information relating to a domestic relations order of Claim 1 were to be analogized to the input borrower, property, and originator data information of Broadbent (Broadbent, Page 9, [0123], lines 3-8, and Figure 4A item 401), this cited reference does not teach receipt of such information for the purpose of assembling of court-compliant domestic relations order for submission to a court as required by Claim 1.

Accordingly, the undersigned respectfully submits that at least these elements of Applicants' claim are missing from the cited Broadbent reference. The Applicants therefore submit that amended Claim 1 is patentable over Broadbent for at least the foregoing reasons.

Claims 2, 3, 5, 6, 7-12, 27, and 31 depend, directly or indirectly, from Claim 1 and are patentable over Broadbent at least for the same reasons as Claim 1.

Applicants' amended Claim 13 recites a computerized method for producing a domestic relations order. The method of Claim 13 includes providing a plurality of sample text passages relating to a domestic relations order that include embedded parameters such as an alternate payee and court information. Applicants respectfully submit that Broadbent does not teach or suggest these same embedded parameters. In contrast, as cited by the Examiner, Broadbent discloses embedded parameters that include borrower input data. (Broadbent, Figure 23, Current Street Address). For the sake of argument, even if the alternate payee and court information of Claim 13 were analogized to the parameters of Broadbent, this cited reference does not teach receipt of these parameters for the purpose of assembling a court-compliant domestic relations order for submission to a court as required by Claim 13.

Further, Applicants' Claim 13 recites automatically assembling a court-compliant domestic relations order for submission to a court using a first subset of sample text passages and a second subset of requested information. Broadbent does not teach assembly of a court-compliant domestic relations order for submission to a court. Instead, Broadbent discloses a

compliance engine that generates a set of tasks that are recorded in a file. These tasks are required to process a specific loan using input data that includes, for example, loan data and user-selected tasks. (Examiner cite to Broadbent, Page 10, [0125], lines 14-17; Figure 4D, items 482 and 483). Broadbent further discloses generation of worker compensation and loan completion reports, and not the court-compliant domestic relations order comprising information that includes, for example, an alternate payee and court information of Claim 13. (Examiner cite to Broadbent, Page 10, [0126], lines 18-21).

Accordingly, the undersigned respectfully submits that at least these elements of Applicants' claim are missing from the cited Broadbent reference. The Applicants therefore submit that amended Claim 13 is patentable over Broadbent for at least the foregoing reasons.

Claims 14- 24, and 28-30 depend, directly or indirectly, from Claim 13 and are patentable over Broadbent at least for the same reasons as Claim 13.

Applicants' amended Claim 26 recites a computerized system for producing a domestic relations order. The method of Claim 26 includes embedded parameters such as an alternate payee and court information. Broadbent does not teach or suggest these same embedded parameters. In contrast, as cited by the Examiner, Broadbent discloses embedded parameters that include borrower profile data, such as a borrower's first and last name, marital status, and social security number, and a property profile with applicable worker attributes that are made available to an authentication module, a loan origination module, a workflow engine, and a task maintenance and status reporting gateway module. (Broadbent, Figure 5 item 543, Figure 22, and Page 20, [0219], lines 17-22). For the sake of argument, even if the alternate payee and court information of Claim 26 were analogized to the parameters of Broadbent, this cited reference does not teach receipt of these parameters for the purpose of assembling a court-compliant domestic relations order for submission to a court as required by Claim 26.

Further, Applicants' Claim 26 recites a means for automatically assembling a court-compliant domestic relations order for submission to a court using a first subset of stored sample text passages and at least a second subset of received information. Broadbent does not teach assembly of a court-compliant domestic relations order for submission to a court. Instead, Broadbent discloses a compliance engine that generates a set of tasks that are recorded in a file.

These tasks are required to process a specific loan using input data that includes, for example, loan data and user-selected tasks. (Examiner cite to Broadbent, Page 10, [0125], lines 14-17; Figure 4D, items 482 and 483). Broadbent further discloses generation of worker compensation and loan completion reports, and not the court-compliant domestic relations order comprising information that includes, for example, an alternate payee and court information of Claim 26. (Examiner cite to Broadbent, Page 10, [0126], lines 18-21).

Accordingly, the undersigned respectfully submits that at least these elements of Applicants' claim are missing from the cited Broadbent reference. The Applicants therefore submit that amended Claim 26 is patentable over Broadbent for at least the foregoing reasons.

### **C. Rejection of Claims 1-24 and 26 Under 35 U.S.C. § 103(a)**

Claims 1-24 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Broadbent et al. in view of Fay et al. (U.S. Patent App. Pub. 2002/0188540 A1, filed June 8, 2001). To establish a prima facie case of obviousness 1) there must be a motivation to combine the references, 2) there must be a reasonable expectation of success, and 3) the combination must teach or suggest all of the elements of Applicants' claims. In this instance, the Examiner did not sufficiently establish a prima facie case of obviousness as to any of the rejected claims.

Applicants' amended Claim 1 recites a computerized system for producing a court-compliant domestic relations order. Applicants respectfully submit that neither Broadbent nor Fay, alone or in combination, teach or suggest each and every element of Applicants' Claim 1. The Examiner is impermissibly using Claim 1 as a roadmap to retrospectively combine the disparate elements of Broadbent and Fay. The Examiner's reference to Fay (Page 2, [0012], lines 1-3, and [0014] lines 3-5) as suggesting a motivation to incorporate Fay's teachings into the system of Broadbent does not provide a well-articulated motivation to combine the distinct aspects of the mortgage loan originator compliance engine of Broadbent with elements of the portable retirement investment method and system of Fay. Furthermore, as the Examiner acknowledges, "Broadbent does not expressly disclose a domestic relations order" for submission to a court as required by Claim 1. The Examiner cites to Fay as disclosing a receiver for receiving information relating to a domestic relations order. However, the aspect of Fay to

which the Examiner directs her argument teaches that the form of a variable immediate annuity module may be “changed in relation to legal marriages and qualified domestic relations orders.” Fay teaches the use of a qualified domestic relations order and not the assembly of a domestic relations order as required by Claim 1. (Fay, Page 8, [0077], lines 1-3). Furthermore, the combination of Broadbent and Fay does not disclose a domestic relations order for submission to a court as required by Claim 1.

Therefore, the Applicants submit that amended Claim 1 is patentable over Broadbent in view of Fay for at least the foregoing reasons.

In turn, Broadbent in view of Fay does not teach or suggest each and every element of Applicants’ Claims 2, 3, 5, 6, 7-12, 27, and 31 which depend, directly or indirectly, from Claim 1 for the same reasons.

Applicants’ amended Claim 13 recites a computerized method for producing a court-compliant domestic relations order. Applicants respectfully submit that neither Broadbent nor Fay, alone or in combination, teach or suggest each and every element of Applicants’ Claim 13. The Examiner is impermissibly using Claim 13 as a roadmap to retrospectively combine the disparate elements of Broadbent and Fay. The Examiner does not set forth a motivation to combine the distinct aspects of the mortgage loan originator compliance engine of Broadbent with elements of the portable retirement investment method and system of Fay. Furthermore, Fay teaches the use of a qualified domestic relations order and not the assembly of a domestic relations order as required by Claim 13. (Fay, Page 8, [0077], lines 1-3). Moreover, the combination of Broadbent and Fay does not disclose a domestic relations order for submission to a court as required by Claim 13.

Therefore, the Applicants submit that amended Claim 13 is patentable over Broadbent in view of Fay for at least the foregoing reasons.

In turn, Broadbent in view of Fay does not teach or suggest each and every element of Applicants’ Claims 14- 24, and 28-30 which depend, directly or indirectly, from Claim 13 for the same reasons.

Applicants’ amended Claim 26 recites a computerized system for producing a court-compliant domestic relations order. Applicants respectfully submit that neither Broadbent nor

Fay, alone or in combination, teach or suggest each and every element of Applicants' Claim 26. The Examiner is impermissibly using Claim 26 as a roadmap to retrospectively combine the disparate elements of Broadbent and Fay. The Examiner does not set forth a motivation to combine the distinct aspects of the mortgage loan originator compliance engine of Broadbent with elements of the portable retirement investment method and system of Fay. Furthermore, Fay teaches the use of a qualified domestic relations order and not the assembly of a domestic relations order as required by Claim 26. (Fay, Page 8, [0077], lines 1-3). Moreover, the combination of Broadbent and Fay does not disclose a domestic relations order for submission to a court as required by Claim 26.

Therefore, the Applicants submit that amended Claim 26 is patentable over Broadbent in view of Fay for at least the foregoing reasons.

**D. Rejection of Claim 25 Under 35 U.S.C. § 103(a)**

Claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Broadbent et al. in view of Fay et al. and in further view of Hueler (U.S. Patent App. Pub. 2003/0004844, filed April 25, 2001). Applicants have canceled Claim 25, thereby dispensing with the need to remark upon the merits of the Examiner's rejection of Claim 25.

**CONCLUSION**

Applicants' discussion of particular positions of the Examiner does not constitute a concession with respect to any positions that are not expressly contested by the Applicants. Applicants' emphasis of particular reasons why the claims are patentable does not imply that there are not other sufficient reasons why the claims are patentable. Applicants' amendment of the claims does not constitute a concession that the claims are not allowable in their unamended form.

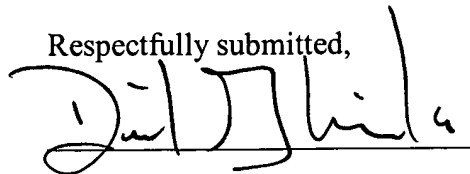
In view of the foregoing remarks and the inability of the prior art, alone or in combination, to anticipate, suggest or make obvious the subject matter as a whole of the invention disclosed and claimed in this application, all the claims are submitted to be in a condition for allowance, and notice thereof is respectfully requested. Applicants respectfully request consideration and allowance of Claims 1-3, 5-24, and 26-31, and cancellation of Claims

4 and 25. The Examiner is respectfully requested to telephone the undersigned at (617) 526-9620 to discuss any further issues in this matter.

Date: October 6, 2006

Proskauer Rose LLP  
One International Place  
Boston, MA 02110  
Tel. No.: (617) 526-9620  
Fax No.: (617) 526-9899

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David G. Miranda", written over a horizontal line.

David G. Miranda  
Reg. No. 42,898  
Attorney for the Applicants